



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OCT 7 2011

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-133

**CERTIFIED MAIL-7011 0470 0002 9128 0204**  
**RETURN RECEIPT REQUESTED**

**WARNING LETTER**

Jay DeJong  
Owner/Operator  
Rhody Dairy LLC.  
9056 Telegraph Road  
Sumas, Washington 98295

Re: February 2, 2011, NPDES Compliance Inspection  
NPDES Identifier Number WAU000521

Dear Mr. DeJong:

On February 2, 2011, the U.S. Environmental Protection Agency (EPA) inspected your facility to evaluate its compliance with the Clean Water Act (CWA). I would like to express my appreciation for your staff's time and cooperation during the inspection. At the time of inspection, the EPA inspector observed the following areas of concern:

Calf Confinement Area Lagoon

The inspector noted that the lagoon was full and a notch had been cut where the agitator accesses the lagoon. This is a concern as the integrity of the lagoon could be compromised if it was not designed to have such a notch.

Calf Waste Pile Runoff

At the time of inspection the inspector noted manure from the calf barn was scraped and piled on an uncovered concrete slab adjacent to the calf confinement area. There was no mechanism in place to prevent runoff from this area.

Lagoon Maintenance

The inspector observed significant amount of blackberry growth on the outer east wall of the lagoon that stretched between the lagoon and the Sumas River. Blackberry growth could impact integrity of the lagoon.

Although our goal is to ensure facilities comply fully with the CWA, the ultimate responsibility rests with the facility. As such, I strongly encourage your company to continue its efforts to maintain full knowledge of the CWA and to take appropriate measures to ensure full compliance. If you have any questions concerning this matter, please call Steven Potokar, CAFO Enforcement Coordinator, at (206) 553-6354.

Sincerely,

A handwritten signature in cursive script, reading "Kimberly A. Ogle".

Kimberly A. Ogle, Manager  
NPDES Compliance Unit

cc: Nora Mena  
Washington State Department of Agriculture

Steven Hulbert  
Washington State Department of Agriculture